



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE**

APR 02 2019

Gerard Lorusso, President and CEO
Lorusso Corp.
3 Belcher Street
Plainville, Massachusetts 02762

Re: Clean Air Act Reporting Requirement

Dear Mr. Lorusso:

The United States Environmental Protection Agency ("EPA") is evaluating whether facilities owned by the Lorusso Corp. ("Lorusso") are in compliance with the Clean Air Act (the "Act") and state and federal regulations promulgated under the Act. Specifically, EPA is evaluating Lorusso's compliance with certain New Source Performance Standards found at 40 CFR Part 60.

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require any person who owns or operates any emission source to establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether such person is in compliance with the Act and its implementing regulations.

Therefore, within 45 days of the date Lorusso receives this reporting requirement, Lorusso is required to provide all the information outlined below. Specifically, provide a separate response to each numbered paragraph or subparagraph below. Where possible, please provide responses in an electronic spreadsheet format (preferably Microsoft Excel).

For each facility owned or operated by Lorusso:

1. Provide the following ownership information:
 - a. List the name, address, and a brief description of the operations conducted at each facility that Lorusso owns and/or operates in Massachusetts;
 - b. Describe the ownership and business structure of each such facility;
 - c. Indicate the date and state of incorporation;

- d. List any partners or corporate officers;
 - e. List any parent and subsidiary corporations; and
 - f. Provide the number of employees and SIC codes for the type of work conducted at each facility.
2. Provide the following information about all process and support equipment, including: mineral processing equipment, such as rock crushers; screening devices; conveyors; fuel pumps; and storage tanks.
- a. The name of the manufacturer, model number, and rated capacity of the equipment;
 - b. The date the equipment was purchased;
 - c. The date the installation of the equipment was completed; and
 - d. The date the equipment began operating at the facility.
3. For facilities that are subject to the Standards of Performance at Non-Metallic Mineral Processing Plants found at 40 CFR, Part 60, Subpart OOO, provide:
- a. Annual production of non-metallic minerals, as defined at 40 CFR §60.671 (in tons per year), for years 2013 through 2018;
 - b. Copies of any reports submitted to the Administrator as required by Subpart OOO;
 - c. The following information about each piece of equipment covered by Subpart OOO:
 - i. The date the equipment became an "affected facility" as defined in 40 CFR § 60.670;
 - ii. The emissions increase associated with the start-up or modification that triggered Subpart OOO;
 - iii. The date of installation of any continuous opacity monitoring system (COMS);
 - iv. A table of all 6-minute averages from the COMS since the last particulate emissions test (or 3-years), whichever is shorter; and
 - v. The date of any Method 9 test and the 6-minute average readings recorded during such test since the equipment became an affected facility.
4. Provide the information requested in each sub-paragraph below for each stationary internal combustion engine that Lorusso or its related entities owns and/or operates. (Note: for the purposes of this reporting requirement, "stationary" shall mean an engine or its replacement that has operated in the same location for the duration of the operating season or longer):
- a. The designation and location;
 - b. The purpose (e.g., to provide mechanical power, to provide primary electrical power, emergency generator, fire pump, etc.);
 - c. If the engine participates in an ISO New England Operating Procedure then state which procedure and the date the engine first operated under it;
 - d. The manufacturer, model number, and serial number;
 - e. The month, day, and year of manufacture;

- f. The month, day, and year of purchase (the date when a binding contract was in place to purchase the engine);
 - g. The month, day, and year of installation;
 - h. The ignition type (i.e., spark or compression);
 - i. The maximum output capacity (in brake horsepower, horsepower and kilowatts);
 - j. The displacement value of the cylinders (liters/cylinder);
 - k. Itemized hours of operation, including the purpose for operation, for calendar years 2013, 2014 and 2015;
 - l. Whether the engine has an emissions control system, such as a catalytic oxidizer;
 - m. Whether the engine has an open or closed crankcase ventilation system. If the engine has an open crankcase ventilation system, provide information on whether the engine is equipped with an open crankcase filtration emission control system (e.g., properly functioning "breather cap" or some other type of device); and
 - n. Whether you have a "Certificate of Conformity" for the engine provided by the manufacturer. Provide copies of each certificate to EPA and indicate which certificate is associated with which engine.
5. For the stationary internal combustion engines described in your response to Question 4 above, indicate whether you or your related entities submitted to EPA and/or the Massachusetts Department of Environmental Protection any of the following documents pursuant to 40 C.F.R. Parts 60 and 63. If you answer "yes" to any sub-paragraph below, provide copies of each document:
- a. Initial notifications;
 - b. Notifications of intent to test;
 - c. Initial performance test reports or other initial compliance demonstrations;
 - d. Notifications of compliance status;
 - e. Percent load reports;
 - f. Site specific monitoring plans;
 - g. Performance evaluations of the continuous parameter monitoring systems (e.g., the temperature monitors measuring temperature at the inlet to the oxidation catalysts associated with the engines); and
 - h. Semiannual or annual compliance reports.

Be aware that if Lorusso does not provide the information in a timely manner, EPA may order it to comply and may assess monetary penalties under Section 113 of the Clean Air Act. Federal law also establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

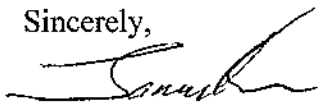
You may assert a business confidentiality claim covering part or all the information requested, in the manner described by 40 CFR § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B. Note that certain categories of information, such as emission data, are not properly the subject of such a claim. If no such claim accompanies the information when EPA receives it, EPA may make the information available to the public without further notice to you.

Provide the above-required information to:

US EPA Region 1
Office of Environmental Stewardship
Mail Code OES04-2
5 Post Office Square Suite 100
Boston, Massachusetts, 02109-3912
Attn: Abdi Mohamoud

If you have any questions regarding this Reporting Requirement, please contact Abdi Mohamoud at (617) 918-1858, or have your attorney call Tom Olivier at (617) 918-1737.

Sincerely,



James Chow, Manager
Technical Enforcement Office
Office of Environmental Stewardship

cc: Dan DiSalvio, MassDEP